

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA,  
NORTHERN DIVISION**

HAROLD KELLY MURPHY, )  
                          )  
Plaintiff.             )  
                          )  
v.                      ) Case No.: 2:06-cv-618-MEF  
                          )  
SOUTHERN ENERGY HOMES, INC., )  
et al.,                )  
                          )  
Defendants.           )

**CONSENT MOTION TO AMEND  
INTERNAL DEADLINE IN SCHEDULING ORDER**

COMES NOW the Plaintiff, Harold Kelly Murphy (“Plaintiff”), with the consent of counsel for Southern Energy Homes, Inc. (“Southern”), and respectfully moves this Court to modify the internal deadline in its scheduling order for the discovery cutoff and filing of dispositive motions. As grounds for the motion, Plaintiff submits the following:

1. This is a manufactured housing defect case set for trial on this Court’s non-jury term beginning June 9, 2008. Plaintiff is NOT seeking to continue the current trial date.
2. The discovery cutoff under the current Scheduling Order is January 21, 2008 and the deadline to file dispositive motions is February 8, 2008.
3. Previously, the parties agreed to extend Southern’s expert report deadline to December 29, 2007.
4. There are several experts for Defendants which still need to be deposed and the parties are working together to schedule the depositions of these experts.
5. Counsel for Southern has agreed to this extension.
6. As mentioned above, this extension will not delay the trial of this case.

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully requests that the Court extend the discovery cutoff to February 15, 2008 and the deadline for filing dispositive motions to March 6, 2008.

s/ C. Lance Gould

C. LANCE GOULD (ASB-0913-G66C)  
Attorney for Plaintiff

**OF COUNSEL:**

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**CERTIFICATE OF SERVICE**

I hereby certify that I have electronically filed the original of the foregoing document in this Court and served a copy upon all Defendants of record as listed below by placing a copy of same in the United States Mail, first class, postage prepaid on this the 18th day of January, 2008.

s/ C. Lance Gould  
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